

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRYAN ALLEN CARY,

Case No. 21-12665

Plaintiff,

Shalina D. Kumar

v.

United States District Judge

K. FARRIS and DR. O,

Curtis Ivy, Jr.

United States Magistrate Judge

Defendants.

**ORDER DENYING WITHOUT PREJUDICE DEFENDANT FARRIS'S
MOTION TO COMPEL (ECF No. 18)**

On December 13, 2022, Defendant Kim Farris moved to compel Plaintiff's responses to her first request of production of documents, which requests that Plaintiff sign an authorization for release of his prison medical records. (ECF No. 18).

The motion is **DENIED WITHOUT PREJUDICE AS PREMATURE**. The federal rules allow for discovery in prisoner civil rights litigation, like this case, to begin without a Rule 26(f) conference. In this District, discovery in prisoner civil rights cases commences after the Court issues a case management order. The Court will issue a case management order that will govern the course of discovery between Plaintiff and Defendant Farris after she answers the complaint. Her answer to the complaint is due on or before December 30, 2022. Plaintiff need not respond to the discovery request until 30 days after the Court issues a case

management order.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: December 15, 2022

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 15, 2022, by electronic means and/or ordinary mail.

s/Kristen MacKay
Case Manager
(810) 341-7850